



Senate

General Assembly

February Session, 2014

File No. 112

Senate Bill No. 215

Senate, March 25, 2014

The Committee on Veterans' Affairs reported through SEN. LEONE of the 27th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT PROVIDING VETERANS' PREFERENCES IN THE RENTAL ASSISTANCE PROGRAM AND HOUSING AUTHORITY PROJECTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 17b-812 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2014*):

3 (a) The Commissioner of Housing shall implement and administer a
4 program of rental assistance for low-income families living in
5 privately-owned rental housing. For the purposes of this section, a
6 low-income family is one whose income does not exceed fifty per cent
7 of the median family income for the area of the state in which such
8 family lives, as determined by the commissioner.

9 (b) Housing eligible for participation in the program shall comply
10 with applicable state and local health, housing, building and safety
11 codes.

12 (c) In addition to an element in which rental assistance certificates

13 are made available to qualified tenants, to be used in eligible housing
14 which such tenants are able to locate, the program may include a
15 housing support element in which rental assistance for tenants is
16 linked to participation by the property owner in other municipal, state
17 or federal housing repair, rehabilitation or financing programs. The
18 commissioner shall use rental assistance under this section so as to
19 encourage the preservation of existing housing and the revitalization
20 of neighborhoods or the creation of additional rental housing.

21 (d) The commissioner may designate a portion of the rental
22 assistance available under the program for tenant-based and project-
23 based supportive housing units. To the extent practicable rental
24 assistance for supportive housing shall adhere to the requirements of
25 the federal Housing Choice Voucher Program, 42 USC 1437f(o),
26 relative to calculating the tenant's share of the rent to be paid.

27 (e) The commissioner shall administer the program under this
28 section to promote housing choice for certificate holders and
29 encourage racial and economic integration. The commissioner shall
30 establish maximum rent levels for each municipality in a manner that
31 promotes the use of the program in all municipalities. Any certificate
32 issued pursuant to this section may be used for housing in any
33 municipality in the state. The commissioner shall inform certificate
34 holders that a certificate may be used in any municipality and, to the
35 extent practicable, the commissioner shall assist certificate holders in
36 finding housing in the municipality of their choice.

37 (f) Nothing in this section shall give any person a right to continued
38 receipt of rental assistance at any time that the program is not funded.

39 (g) As among applicants who are eligible for the rental assistance
40 provided in this section, and whose needs for housing
41 accommodations are substantially equal, as determined by the
42 commissioner, preference shall be given to veterans who are
43 "preference eligible", as defined in 5 USC 2108, as amended from time
44 to time.

45 ~~[(g)]~~ (h) The commissioner shall adopt regulations in accordance
46 with the provisions of chapter 54 to carry out the purposes of this
47 section. The regulations shall establish maximum income eligibility
48 guidelines for such rental assistance and criteria for determining the
49 amount of rental assistance which shall be provided to eligible
50 families.

51 ~~[(h)]~~ (i) Any person aggrieved by a decision of the commissioner or
52 the commissioner's agent pursuant to the program under this section
53 shall have the right to a hearing in accordance with the provisions of
54 chapter 54.

55 Sec. 2. Section 8-45 of the general statutes is repealed and the
56 following is substituted in lieu thereof (*Effective October 1, 2014*):

57 (a) Each housing authority shall manage and operate its housing
58 projects in an efficient manner so as to enable it to fix the rentals for
59 dwelling accommodations at the lowest possible rates consistent with
60 providing decent, safe and sanitary dwelling accommodations, and no
61 housing authority shall construct or operate any such project for profit
62 or as a source of revenue to the municipality. To this end an authority
63 shall fix the rentals for dwelling in its projects at no higher rates than it
64 finds to be necessary in order to produce revenues which, together
65 with all other available money, revenues, income and receipts of the
66 authority from whatever sources derived, will be sufficient ~~[(a)]~~ (1) to
67 pay, as the same become due, the principal and interest on the bonds
68 of the authority; ~~[(b)]~~ (2) to meet the cost of, and to provide for,
69 maintaining and operating the projects, including the cost of any
70 insurance, and the administrative expenses of the authority; and ~~[(c)]~~
71 (3) to create, during not less than six years immediately succeeding its
72 issuance of any bonds, a reserve sufficient to meet the largest principal
73 and interest payments which will be due on such bonds in any one
74 year thereafter and to maintain such reserve.

75 (b) In the operation or management of housing projects an authority
76 shall, at all times, rent or lease the dwelling accommodations therein at
77 rentals within the financial reach of families of low income. The

78 authority, subject to approval by the Commissioner of Housing, shall
79 fix maximum income limits for the admission and for the continued
80 occupancy of families in such housing, provided such maximum
81 income limits and all revisions thereof for housing projects operated
82 pursuant to any contract with any agency of the federal government
83 shall be subject to the prior approval of such federal agency. The
84 Commissioner of Housing shall define the income of a family to
85 provide the basis for determining eligibility for the admission and for
86 the continued occupancy of families under the maximum income
87 limits fixed and approved. The definition of family income, by the
88 Commissioner of Housing, may provide for the exclusion of all or part
89 of the income of family members which, in the judgment of said
90 commissioner, is not generally available to meet the cost of basic living
91 needs of the family. As among applicants who are eligible for
92 admission to such housing, and whose needs for housing
93 accommodations are substantially equal, as determined by the housing
94 authority, preference shall be given to veterans who are "preference
95 eligible", as defined in 5 USC 2108, as amended from time to time.

96 (c) No housing authority shall refuse to rent any dwelling
97 accommodation to an otherwise qualified applicant on the ground that
98 one or more of the proposed occupants are children born out of
99 wedlock.

100 (d) Each housing authority shall provide a receipt to each applicant
101 for admission to its housing projects stating the time and date of
102 application and shall maintain a list of such applications which shall be
103 a public record as defined in section 1-200. The Commissioner of
104 Housing shall, by regulation, provide for the manner in which such list
105 shall be created, maintained and revised. No provision of this chapter
106 shall be construed as limiting the right of the authority to vest in an
107 obligee the right, in the event of a default by such authority, to take
108 possession of a housing project or cause the appointment of a receiver
109 thereof or acquire title thereto through foreclosure proceedings, free
110 from all the restrictions imposed by this chapter with respect to rental
111 rates and tenant selection.

112 Sec. 3. Section 8-48 of the general statutes is repealed and the
113 following is substituted in lieu thereof (*Effective October 1, 2014*):

114 In the cases of any tenants who are the recipients of one hundred
115 per cent social services aid from the Department of Social Services of
116 the state or any municipality and who have no income from any other
117 source, rentals shall be fixed by each housing authority for the ensuing
118 rental year established by the authority based on one-half of the costs
119 and expenses set forth in subdivision (1) of subsection (a) of section 8-
120 45, as amended by this act, plus the full amount of costs and expenses
121 set forth in [subsections (b) and (c)] subdivisions (2) and (3) of
122 subsection (a) of said section as set forth in the operating statements of
123 the authority for the preceding fiscal year, which total amount shall be
124 divided by the total number of rooms contained in all low-rent
125 housing projects operated by such housing authority to establish the
126 rental cost per room per annum for such tenants, from which figure
127 shall be computed the rent per month per room. Said rentals shall
128 govern for said rental year.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2014</i>	17b-812
Sec. 2	<i>October 1, 2014</i>	8-45
Sec. 3	<i>October 1, 2014</i>	8-48

VA Joint Favorable

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill requires the Commissioner of Housing and housing authorities to give preference to veterans for certain types of housing assistance. There is no fiscal impact to the Department of Housing or housing authorities as the preference requirement does not impact eligibility to the program.

As of January 1, 2013 more than 2,000 applicants remain on the federal Housing Choice Voucher Section 8 waiting list and 1,454 applicants remain on the state Rental Assistance Program waiting list. It is unclear how many on the waiting lists are veterans as applicants are not asked to indicate if they are veterans.

The Out Years

State Impact: None

Municipal Impact: None

Source: Department of Housing

OLR Bill Analysis**SB 215*****AN ACT PROVIDING VETERANS' PREFERENCES IN THE RENTAL ASSISTANCE PROGRAM AND HOUSING AUTHORITY PROJECTS.*****SUMMARY:**

This bill gives veterans a preference when applying for certain types of housing assistance if they meet federal criteria (i.e., "preference-eligible" veterans).

It requires the housing commissioner to give preference to qualified veterans if they are eligible for rental assistance and she determines their needs are substantially equal to other similarly eligible applicants. By law, the commissioner provides this assistance to low-income people who reside in privately owned rental units.

The bill also requires housing authorities to give preference to qualified veterans if they are eligible for low-income public housing units and the authorities determine their needs are substantially similar to other eligible applicants. By law, the authorities develop, own, and operate housing for elderly and low- and moderate-income people.

EFFECTIVE DATE: October 1, 2014

PREFERENCE-ELIGIBLE VETERANS

Veterans qualify for the bill's housing preference if they are honorably or generally discharged following active duty service in the U.S. Army, Navy, Air Force, Marine Corps, or Coast Guard and

1. served on active duty during a war, campaign, or expedition for which a campaign badge has been authorized;
2. served during the Korean War (April 28, 1952 to July 1, 1955);

3. served for at least 180 consecutive days between January 31, 1955 to October 15, 1976, not including National Guard or reserve service;
4. served during the first Gulf War (August 2, 1990 to January 2, 1992);
5. served for at least 180 consecutive days between September 11, 2001 and August 31, 2010 (the end of Operation Iraqi Freedom);
6. have an established service-connected disability or receive compensation, disability retirement benefits, or veterans' pension benefits; or
7. were discharged because they were their family's sole surviving child and other family members had died while serving in the armed forces.

COMMITTEE ACTION

Veterans' Affairs Committee

Joint Favorable

Yea 14 Nay 0 (03/11/2014)